

35. (Previously Presented) The method of claim 6, wherein less of the second color is produced when the aldehyde is more than or the same as the point of interest than when the aldehyde is less than the point of interest.

36. (New) The method of claim 1 wherein the reaction in step (d) produces a formazan to produce the second color.

37. (New) The method of claim 8 further comprising loading the fixed volume to a measuring device containing said  $\text{FeCl}_3$ .

38. (New) The method of claim 11, wherein the absorbent material contains said  $\text{FeCl}_3$ .

#### REMARKS

Presently, claims 1 to 13 and 34 to 38 are pending in the application. Claims 36 to 38 are added by the present amendment. The remaining claims have been finally rejected, with the exception of claims 9 and 12 and applicants have filed a Notice of Appeal. This amendment is being filed along with a Petition for Extension of Time and an RCE. Applicants respectfully traverse each of the rejections and request reconsideration and reexamination of the application.

The Examiner has made several claims objections and the present amendment attempts to address the Examiners suggestions.

The Examiner has rejected claims 1 to 8, 10, 11, 13, 34 and 35 under 35 U.S.C. §103 (a) over the Opp US Patent No. 4,471,055, Iannacone et al. US Patent No. 3,645,696 and an alleged admission of prior art in Applicant's specification at page 1, lines 10 to 28. Opp teaches a method for determining the concentration of an aldehyde. However, the method taught by Opp differs significantly from the presently claimed invention. Opp reacts a first reactant with the aldehyde to produce a color. Opp then reacts any remaining aldehyde with a second reactant to produce a second color. In contrast, the present invention provides for reacting not remaining aldehyde with a second reactant but rather any excess of the first reactant, MBTH, that was not

consumed during the first reaction. Iannacone et al. provides a system for the detection of ethylene glycol by oxidizing any ethylene glycol present to formaldehyde and then detecting the presence of formaldehyde by reacting it with MBTH to produce a color change in a simple one reactant system.

There is no suggestion for combining Opp and Iannacone et al. Even if combined, it would at best lead one of skill in the art to react MBTH with an aldehyde and then react any remaining aldehyde with a second reactant to produce a second color. However, the present invention rather than reacting in excess of the test aldehyde for the second color reacts the excess of the first reactant. There is no suggestion for such a system. The limitation of using an excess of the second reactant to produce the color change is lacking from the cited references. Accordingly, Applicants respectfully submit that the claimed invention patentably defines over the cited art.

Applicants respectfully submit that the application is now in condition for allowance and request favorable reconsideration and early notice of allowance.

Respectfully submitted,



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